IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

Tr.P(C).No. 86 of 2007()

OP.24/2007 of FAMILY COURT,KOZHIKODE

.....

PETITIONER/RESPONDENT

P.V.JYOTHILAKSHMI, D/O.
P.K.VISWANATHA MENON, AGED 33 YEARS,
GANGA NIVAS, TANALOOR, TIRUR TALUK,
TANUR, MALAPPURAM DISTRICT.

BY ADV. SRI.A.C.SANKARA VARMA

RESPONDENTS: PETITIONER

T.P.SURENDRANATH,
S/O.HARIDASAN NAIR, 45 YEARS,
VIJAYASREE, NEAR KOTTARAM, PANNIYANKARA P.O.,
KOZHIKODE.

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 13/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER ON I.A. NO: 1000/07 IN
Tr.P.C. NO: 86 OF 2007

DISMISSED:

13/6/2007 SD/- M.N.KRISHNAN, JUDGE

jj /TRUE COPY/

P.A.TO JUDGE

M.N.KRISHNAN, J.

Tr.P.C.No.86 OF 2007

Dated this the 13th June, 2007.

JUDGMENT

This transfer petition is filed by the wife against the husband. The wife has filed a maintenance case O.P.103/07 before the Family Court, Malappuram and the husband has filed two petitions O.P.23 & 24/07 for custody of the child as well as for the restitution of conjugal rights. Respondent served with notice. Not represented. The averments in the transfer petition are not controverted. It is averred in the petition that there is a frequent threat by the husband that she will be done away with if she enters Kozhikode district. Further it is submitted that the petitioner is jobless and she is depending on her old aged parents who are not able to travel. It is also submitted that there is a nine year old child who is attending school and therefore frequent travel will spoil the education as well. So, taking into consideration all these aspects, I am inclined to transfer O.P. 23 & 24/07 pending before the Family Court, Kozhikode to the Family Court at Malappuram. Transfer petition is disposed of accordingly.

M.N.KRISHNAN
Judge

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